Amendments to the Claims:

The listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1(Currently Amended). A mammalian host cell useful for producing rAAV in the absence of a helper adenovirus comprising:

(a) a transgene under the control of regulatory sequences directing expression thereof and flanked by AAV inverted terminal repeats;

(b) an AAV *rep* sequence and an AAV *cap* sequence under the control of regulatory sequences directing expression thereof; and

(c) adenovirus ~~DNA~~ sequences consisting of the minimum adenovirus DNA required to express an E1a gene product, an E1b gene product, and an E2a gene product,

wherein the only adenovirus gene products expressed in the host cell are adenovirus E1a, E1b and E2a.

2(Original). The host cell according to claim 1 wherein said transgene regulatory sequences comprise a promoter selected from the group consisting of a native promoter of the transgene, an inducible promoter, a tissue-specific promoter and a constitutive promoter.

3(Currently Amended). The host cell according to claim 1, wherein said DNA which expresses said E1a gene product ~~is a nucleic acid sequence comprising adenovirus DNA encoding said E1a gene product~~ is operably linked ~~and~~ to a first promoter directing the expression of said E1a gene product;

said DNA which expresses said E1b gene product ~~is a nucleic acid sequence comprising adenovirus DNA encoding said E1b gene product and~~ is operably linked to a second promoter directing the expression of said E1b gene product; and

said DNA which expresses said E2a gene product ~~is a nucleic acid sequence comprising adenovirus DNA encoding said E2a gene product and~~ is operably linked to a third promoter directing the expression of said E2a gene product.

4 (Original). The host cell according to claim 3, wherein said first promoter is selected from the group consisting of a native promoter of E1a, an inducible promoter and a constitutive promoter; wherein said second promoter is selected from the group consisting of a native promoter of E1b, an inducible promoter and a constitutive promoter; and wherein said third promoter is selected from the group consisting of a native promoter of E2a, an inducible promoter and a constitutive promoter.

5 (Original). The host cell according to claim 3, wherein said first promoter and said third promoter are not identical.

6 (Original). The host cell according to claim 3, wherein said first promoter and said third promoter are identical.

7 (Original). The host cell according to claim 3 wherein said first promoter and said third promoter are inducible promoters.

8 (Original). The host cell according to claim 3 wherein said first promoter or said third promoter is an inducible promoter.

9 (Original). The host cell according to claim 1, wherein said transgene of (a) is stably integrated into the chromosomes of said host cell, present in said host cell as an episome, or transiently expressed in said host cell;

said AAV *rep* and *cap* genes of (b) are stably integrated into the chromosomes of said host cell, present in said host cell as an episome, or transiently expressed in said host cell; and

said DNA of (c) is stably integrated into the chromosome of said host cell, present in said host cell as an episome, or transiently expressed in said host cell.

Claim 10. Cancelled.

11 (Original). The host cell according to claim 1, wherein said transgene is supplied to said host cell by an rAAV.

12 (Original). The host cell according to claim 1, wherein said transgene and said DNA required to express said E1a gene product and said E1b gene product are supplied to said host cell on the same vector.

Claim 13. Cancelled.

14(Currently Amended). A method for producing recombinant adeno-associated virus (rAAV) in the absence of contaminating helper virus or wild-type virus, comprising the step of culturing the host cell of claim 1, wherein the only adenovirus gene products expressed in the host cell are adenovirus E1a, E1b and E2a.

15(Original). The method according to claim 14, further comprising the step of purifying the rAAV from said host cell or host cell culture.

16. Canceled.

17 (Currently Amended). ~~A~~ The method according to claim 15 ~~16~~, wherein

said E1a is operably linked to a first promoter ~~is~~ selected from the group consisting of an inducible promoter, a constitutive promoter and a native promoter for E1a;

said E1b is operably linked to a second promoter ~~is~~ selected from the group consisting of an inducible promoter, a constitutive promoter and a native promoter for E1b; and

said E2a is operably linked to a third promoter ~~is~~ selected from the group consisting of an inducible promoter, a constitutive promoter and a native promoter for E2a.

18 (Original). The method according to claim 17, wherein at least one promoter of said first promoter, second promoter or third promoter is an inducible promoter, further comprising the step of adding to said host cell culture a first inducing agent to induce said inducible promoter.

19 (Original). The method according to claim 17, wherein said first and third promoters are different inducible promoters directing the expression of each respective gene product.

20 (Original). The method according to claim 19 further comprising the steps of adding to said host cell culture a first inducing agent for inducing said first inducible promoter and a second inducing agent for inducing said second inducible promoter, whereby the ratio of expressed gene products may be varied for optimizing the production of rAAV in said host cells.

Claims 21 – 24. Cancelled.

25 (New). A system for producing recombinant adeno-associated virus (rAAV) in the absence of contaminating helper virus or wild-type virus, said system comprising a culture of mammalian host cells comprising:

(a) a transgene under the control of regulatory sequences directing expression thereof and flanked by AAV inverted terminal repeats;

(ii) an AAV *rep* sequence under the control of regulatory sequences directing expression thereof;

(iii) AAV *cap* sequence under the control of regulatory sequences directing expression thereof; and

(iv) adenovirus sequences consisting of the minimum adenoviral DNA required to express an E1a gene product, an E1b gene product, and an E2a gene product,

wherein the only adenovirus gene products expressed in the host cell are adenovirus E1a, E1b and E2a; and

wherein, upon culturing, the mammalian host cells produce the rAAV in the absence of contaminating helper virus or wildtype virus, thereby eliminating the need to separate the rAAV from another virus.

26(New). The system according to claim 25, wherein the adenovirus gene products are transiently produced in the host cell.

27(New). The system according to claim 26, wherein the adenovirus gene products are delivered in a plasmid.